

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DIANE JOHNSON ON BEHALF OF  
HERSELF AND OTHERS SIMILARLY  
SITUATED,

*Plaintiff,*

v.

MATTRESS WAREHOUSE, INC.,  
*Defendant.*

CIVIL ACTION  
NO. 20-891

**ORDER**

AND NOW this 15th day of September, 2021, following consideration of Defendant Mattress Warehouse, Inc.'s Motion for Summary Judgment (ECF 22) and its statement of undisputed material facts (ECF 22-2), Plaintiff Diane Johnson's response to the motion (ECF 23) and to the Company's statement of undisputed material facts (ECF 24), Mattress Warehouse's reply (ECF 25), after oral argument on the motion (ECF 28 and 30) and the parties' supplemental briefs (ECF 32 and 33), and consistent with the accompanying memorandum of law, it is **ORDERED** that Defendant's motion is **GRANTED** and **JUDGMENT IS ENTERED** in favor of Mattress Warehouse and against Diane Johnson on all counts.

The Clerk of Court shall mark this case as **CLOSED**.

BY THE COURT:

***/s/ Gerald J. Pappert***  
GERALD J. PAPPERT, J.